

PROB 12A
(7/93)**UNITED STATES DISTRICT COURT**

for

WESTERN DISTRICT OF TEXAS**Report on Offender Under Supervision****XR**

Name of Offender: Rafael Borrego Case Number: 5:20-CR-00497-UA

Name of Sentencing Judicial Officer: Honorable Janis Graham Jack, Senior United States District Judge

Date of Original Sentence: March 5, 2018

Original Offense: Transportation of an Undocumented Alien, in violation of Title 8 U.S.C.
§§1324(a)(1)(A)(ii) and 1324(a)(1)(A)(v)(II) and 1324 (a)(1)(B)(ii)

Original Sentence: Thirty (30) months imprisonment, three (3) years supervised release, and \$100 special
assessment

Type of Supervision: Supervised Release Date Supervision Commenced: March 13, 2020

PREVIOUS COURT ACTION

On September 03, 2020, a Court Order was signed by the Honorable Janis Graham Jack, in the Southern District of Texas – Corpus Christi Division, indefinitely postponing residential substance abuse treatment and counseling.

On October 28, 2020, jurisdiction was transferred from the Southern District of Texas – Corpus Christi Division to the Western District of Texas – San Antonio Division.

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1.	<u>Mandatory Condition No. 2:</u> You must not unlawfully possess a controlled substance.
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Mandatory Condition No. 3: You must refrain from the unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

On May 11, 2021, Mr. Borrego tested positive for methamphetamine. Additionally, the specimen was confirmed positive for methamphetamine by Alere Toxicology Services, Inc.


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U.S. Probation Officer Action: Rafael Borrego has a criminal history category of III, a history of substance abuse to include marijuana, cocaine, and methamphetamine, and he currently attends substance abuse treatment through Lifetime Recovery Outpatient Services. In addition, Mr. Borrego attends medication monitoring through the Center for Health Care Services, to address his mental health needs.

On January 8 and 11, 2018, while on pretrial supervision, Mr. Borrego tested positive for methamphetamine. As a result, on February 8, 2018, he was arrested and remained in custody until sentencing. At the inception of supervised release, Mr. Borrego enlisted his attorney to petition the Court and request his condition to participate in residential substance abuse treatment be remitted; however, the Court denied the petition and signed an order to postpone the condition indefinitely.

Given Mr. Borrego's return to illegal drug use; namely: methamphetamine, it is believed the condition for residential substance abuse treatment is appropriate at this time. If the Court concurs, Mr. Borrego will be referred to the Lifetime Recovery Residential Treatment Facility.

Approved:



Stephen L. Gray
 Supervising U.S. Probation Officer
 Telephone: (210) 472-6590, Ext. 5331

cc: Sarah Wannarka
 Assistant U.S. Attorney

Brenda Trejo-Olivarri
 Assistant Deputy Chief U.S. Probation Officer

Respectfully submitted,



Kimberley A. Turner
 U.S. Probation Officer
 Telephone: (210) 472-6590, Ext. 5351
 Date: July 7, 2021

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- ☒ Approved as submitted.
- ☐ Submit a Request for Modifying the Condition or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other _____
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U.S. District Judge

July 9, 2021

Date